

Walter H. Sweek, OSB 62092  
E-mail: [wsweek@cvk-law.com](mailto:wsweek@cvk-law.com)  
James M. Maldonado, OSB 00078  
E-mail: [jmaldonado@cvk-law.com](mailto:jmaldonado@cvk-law.com)  
COSGRAVE VERGEER KESTER LLP  
805 SW Broadway, 8th Floor  
Portland, Oregon 97205  
Telephone: (503) 323-9000  
Facsimile: (503) 323-9019  
Attorneys for Defendant McKinley Medical LLC and Moog Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GORDON J. ADDIS,  
  
Plaintiff,  
  
v.

MCKINLEY MEDICAL, LLC, a Colorado  
corporation; MOOG, INC., a New York  
corporation, DJO INCORPORATED, a  
Delaware corporation; and DJO, L.L.C., a  
Delaware corporation,  
  
Defendants.

Case No.: 3:07 CV 1318 AA

**MCKINLEY MEDICAL LLC AND  
MOOG INC. MOTION TO  
WITHDRAW REQUEST FOR  
PROTECTIVE ORDER**

Defendants McKinley Medical LLC and Moog Inc., (collectively "McKinley") file this motion to withdraw its previously filed motion for a protective order without prejudice. Counsel for plaintiff, counsel for DJO LLC and undersigned counsel have met both in person and telephonically on multiple occasions and believe that McKinley's concerns over the existing discovery requests can be resolved. As such, McKinley's motion for protective order is hereby withdrawn without prejudice. However, McKinley

///

///

does not withdraw its request for a Rule 16 Scheduling Conference and asks that such a conference be scheduled by the Court.

DATED: January 17, 2008

COSGRAVE VERGEER KESTER LLP

/s/ James M. Maldonado

---

Walter Sweek, OSB 620920  
James M. Maldonado OSB 00078  
Telephone: (503) 323-9000  
Fax: (503) 323-9019  
E-mail: [wsweek@cvk-law.com](mailto:wsweek@cvk-law.com)  
E-mail: [jmaldonado@cvk-law.com](mailto:jmaldonado@cvk-law.com)  
Attorneys for Defendant McKinley Medical LLC  
and Moog Inc.  
Trial Attorney: Walter Sweek OSB 620920

### CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Notice of Withdrawal of Motion for Protective Order on the date indicated below by:

- ☒ mail with postage prepaid, deposited in the US mail at Portland, Oregon,
- ☐ hand delivery,
- ☐ facsimile transmission,
- ☐ overnight delivery,
- ☒ electronic filing notification;

I further certify that said copy was placed in a sealed envelope delivered as indicated above and addressed to said attorney(s) at the address(es) listed below:

Jeffrey B. Wihtol  
620 S.W. Main Street, Suite 602  
Portland, OR 97205-3024  
Of Attorneys for Plaintiff Gordon J. Addis

William Kelly Olson  
Scott J. Meyer  
Mitchell Lang & Smith  
101 SW Main Street, Suite 2000  
Portland, OR 97204  
Of Attorneys for DJO Inc.

DATED: January 17, 2008

/s/ James M. Maldonado

---

James M. Maldonado